

House File 137 - Introduced

HOUSE FILE 137
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 40)

A BILL FOR

1 An Act relating to the practice of cosmetology and barbering in
2 certain locations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 157.1, subsection 26, Code 2023, is
2 amended to read as follows:

3 26. "*Salon*" means ~~a fixed~~ an establishment or place in a
4 fixed location, or a location that is readily movable, where
5 one or more persons engage in the practice of cosmetology
6 arts and sciences, including, but not limited to, a retail
7 establishment where cosmetologists engage in the practice of
8 cosmetology arts and sciences.

9 Sec. 2. Section 157.13, subsection 1, Code 2023, is amended
10 by adding the following new paragraph:

11 NEW PARAGRAPH. *Ob.* A licensee may practice at a location
12 which is not a licensed salon, school of cosmetology arts and
13 sciences, or licensed barbershop pursuant to rules adopted by
14 the board.

15 Sec. 3. Section 158.13, subsection 1, Code 2023, is amended
16 to read as follows:

17 1. a. It is unlawful for a person to employ an individual
18 to practice barbering unless that individual is a licensed
19 barber or has obtained a temporary permit. It is unlawful
20 for a licensed barber to practice barbering with or without
21 compensation in any place other than a licensed barbershop or
22 barber school, or a licensed salon as defined in [section 157.1](#),
23 except ~~that a~~ as follows:

24 (1) A licensed barber may practice barbering at a location
25 which is not a licensed barbershop or barber school under
26 extenuating circumstances arising from physical or mental
27 disability or death of a customer.

28 (2) A licensed barber may practice barbering at a location
29 which is not a licensed barbershop or barber school pursuant
30 to rules adopted by the board.

31 b. It is unlawful for a licensed barber to claim to be a
32 licensed cosmetologist, but it is lawful for a licensed barber
33 to work in a licensed salon.

34 Sec. 4. EMERGENCY RULES. The board of cosmetology arts and
35 sciences and board of barbering may adopt emergency rules under

1 section 17A.4, subsection 3, and section 17A.5, subsection 2,
2 paragraph "b", to implement the provisions of this Act and
3 the rules shall be effective immediately upon filing unless
4 a later date is specified in the rules. Any rules adopted
5 in accordance with this section shall also be published as a
6 notice of intended action as provided in section 17A.4.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill relates to the practice of cosmetology arts
11 and sciences and barbering in certain locations. The bill
12 expands the definition of a "salon" to include a location that
13 is readily movable where one or more persons engage in the
14 practice of cosmetology arts and sciences.

15 The bill allows a person licensed by the board of cosmetology
16 arts and sciences or the board of barbering to practice in
17 locations other than a licensed salon, school of cosmetology
18 arts and sciences, licensed barbershop, or barber school
19 pursuant to rules adopted by the board of cosmetology arts
20 and sciences or board of barbering, as applicable. The bill
21 allows the board of cosmetology arts and sciences and board of
22 barbering to adopt emergency rules to implement the provisions
23 of the bill.